

# CONSTITUTION BANDYS BAND BOOSTERS

## Article 1 -- Name

### Section 1:

The name of this organization shall be Bandys Band Boosters.

## Article II -- Purpose

### Section 1:

The purpose of this organization shall be: (a) to help provide financial aid and (b) to boost the morale of the band by providing community and parental support. (c) This organization is organized exclusively for charitable, and educational purposes, including, for such purposes, the making of distribution to organizations under section 501 (c)(3) of the Internal Revenue Code of 1954.

*\*\* Const. Amendments, Art. II Sec. II and III.*

***Article II Section II--**The boosters club is intended as a support organization of the Bandys Trojan Band program, its students and its staff. The club functions under the auspices and direct authority of the Catawba County School Board, Bandys High School, and the Trojan Band staff.*

*(Ratified Nov. 2003)*

***Article II, Section III** – The boosters club will provide support financially to the band program through volunteer and fundraising efforts. Funds will be disbursed by the treasurer or other bonded officers according to the program needs expressed by the band director. Expenditures are determined by the band director in accordance with the guidelines of the club's tax status.*

*(Ratified Nov. 2003)*

## Article III-- Membership

### Section 1:

Any person interested in helping with the improvement of Bandys Band is eligible to join this organization by paying annual dues.

## Article IV -- Government

### Section 1:

The government of this organization shall be vested in a slate of officers consisting of a president, a vice-president, a secretary, and a treasurer. The band director is an ex-officio member.

*\*\* **Article IV Section 1.** of the Constitution shall be amended to include "assistant treasurer."*

*(Approved October, 1992)*

Section 2:

The officers shall be elected in the manner prescribed by the by-laws and shall hold office for a period of one (1) year, or until their successors are duly elected and charged.

*\*\*See Const. Amendments, Art. IV Sec. II.*

*Article IV Section 2. of the Constitution shall be amended to begin with, "After a consensus is reached..." (Approved February, 1994)*

**Article V -- Amendment**

Section 1:

This constitution may be amended by a two - thirds (2/3) vote of the members present at any regular meeting provided that notice of the proposed amendment has been presented to the members at least one month prior to the date of such meeting.

*\*\*See Const. Amendments, Art. V Sec. I and II.*

*Article V, Section 1 – The clause shall be added "Amendments shall take affect as soon as they are ratified". (Ratified Nov. 2003)*

*Article V, Section 2 – The constitution shall be reviewed periodically by a committee selected by the band director and boosters president. The document shall be reviewed every three years, and recommendations for amendments shall be presented to the membership as needed and ratified as outlined in Article V, Sec. 1 of the Constitution. (Ratified Nov. 2003)*

**BY-LAWS**

**BANDYS BAND BOOSTERS**

**Article I -- Membership**

Section 1:

Active membership in this organization shall be as provided in the Constitution.

**Article II -- Dues**

Section 1:

The annual dues for members of this organization shall be five (5) dollars per person, payable annually. Total amount shall be payable within the first quarter of each school year.

**Article III -- Government**

Section 1:

The government of this organization shall be vested in a slate of officers which shall be subject to the will of the membership.

Section 2:

The slate of officers shall have control and management of the property and management of the organization, subject to the will of the membership. Funds of the organization shall be withdrawn from the bank or banks with which they are on deposit by the signature of the treasurer.

*\*\*See By-Laws Amendments Art. III Sec. II.*

**Article III Section 2.** *of the By-laws shall be amended to read "bonded officers" rather than "treasurer." (Approved October, 1992)*

Section 3:

In the event of a vacancy in an officer's position, said vacancy will be announced at the following meeting and filled by a majority vote at the next following meeting. In the event the position cannot be filled, the vice-president will assume that position until someone is elected.

Section 4:

No part of the net earnings of the organization shall benefit its members, directors, officers, or other persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the exempt purposes of the organization.

Section 5:

In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations with similar purposes or to one or more organizations which are exempt organizations described in section 501 (c)(3) of the Internal Revenue Code of 1954.

**Article IV -- Elections**

Section 1:

Not less than thirty (30) days prior to the annual election the president shall appoint, with the approval of the other officers, a nominating committee of not less than three (3) members including the band director.

*\*\*See By-Laws Amendments Art. IV Sec. I.*

**Article IV Section I.** *of the By-laws shall be amended to read "the band director and the out-going president" (Approved February, 1994)*

Article IV, Section I – shall be amended to read “sixty (60) days” rather than 30. (Ratified Nov. 2003)

Section 2:

The nominating committee shall present to the membership at least one full slate of candidates to include all volunteers, at least one meeting prior to the election.

Section 3:

There shall be no restriction on the number of terms any officer may serve.

Section 4:

Additional names may be placed in nomination at the time of voting.

Section 5:

At the annual election there shall be elected by a majority vote, a slate of officers as required and described in Article IV, Section 1, of the Constitution.

Section 6:

Voting shall be by individuals, and no person shall vote more than once. Proxies and absentee votes will not be recognized.

Section 7:

Officers shall take office June 1.

*\*\*See By-Laws Amendments Art. IV Sec. VIII.*

Article IV, Section 8 – Removal of an officer from the executive committee must follow specific guidelines.

*These include:*

- a. The decision to remove an officer must be based on specific circumstances in violation of the band boosters' constitution and by-laws, or on incidents involving actions detrimental to the well being of the band program, its students or its staff.*
- b. The motion to remove an officer must be initiated by the band director and staff after carefully reviewing the facts and circumstances surrounding any allegations.*
- c. Concerns leading to a motion for removal should be presented to the band staff by a member of the slate of officers. General members who have concerns may voice them to one of the officers or the band director directly.*
- d. A special meeting of the slate of officers must be called to consider the removal of an officer. This meeting must be called by the band staff, and shall be announced with due notice for all members of the slate of officers to be present. All officers need to be present when the matter is decided, unless unavoidable circumstances prevent attendance.*

➤ *When the meeting to consider the removal of an officer is held, the matter will be considered as follows:*

- a. *The band staff and any other relevant members of the organization must present evidence and rationale for removal of the officer to the executive committee before the matter is put to a vote.*
- b. *The officer in question must be allowed to make a case in their own defense, with relevant members as witnesses, before the matter is put to a vote.*
- c. *An officer can only be removed from office by a 2/3-majority vote of the slate of officers.*
- d. *In the event that an officer is removed, the vice president will fill the duties vacated until a suitable replacement can be found.*
- e. *Any member of the organization may be considered as a suitable replacement for the removed officer. Members willing to fulfill the remainder of the vacated term must be presented to the general membership at the next regular meeting, and elected by a majority of the membership at the following regularly scheduled meeting, in accordance with the election guidelines in Art. IV, Sec. 5 and 6.*

*(Ratified Nov. 2003)*

## **Article V -- Meetings**

### **Section 1:**

The organization shall hold a business meeting at least once a month. A majority of members present shall constitute a quorum.

### **Section 2:**

Meetings of the slate of officers shall be held at prearranged dates or at the call of the president. At all meetings of the slate of officers, a majority shall constitute a quorum.

*\*\*See By-Laws Amendments Art. V Sec. II.*

**Article V Section 2.** *of the By-laws shall be amended to read "president and band director"*

*(Approved February, 1994)*

**Article V Section 2.** *of the By-laws shall be amended to include "The band director must be present."*

*(Approved February, 1994)*

### **Section 3:**

Special meetings of the membership or of the slate of officers shall be called by the president or by the band director at the request of at least one-half (1/2) of the officers.

*\*\*See By-Laws Amendments Art. V Sec. III.*

**Article V Section 3.** *of the By-laws shall be amended by striking "or by" and adding "with"*

*(Approved February, 1994)*

*\*\*See By-Laws Amendments Art. V Sec. IV.*

**Article V, Section IV** – *Regular meetings shall be held on the second Monday of each month during the regular school year. In the event of a conflict with the regular meeting dates, the meeting shall be postponed until the next available Monday following the conflict. In such an event, that meeting shall be considered a*

*regular meeting provided that the rescheduled date was announced at least one (1) month prior to the originally scheduled date. (Ratified Nov. 2003)*

***Article V, Section IV** – Amended to say “Regular meetings shall be held on the third (3) Monday of each month during the regular school year”. (Ratified Oct. 2005)*

## **Article VI -- Duties of the Officers**

### **Section 1:**

The president is chief officer of the organizations activities.

### **Section 2:**

The vice-president shall preside at meetings in the absence of the president and shall work with the president on activities of the organization.

### **Section 3:**

The secretary shall keep a permanent record of the minutes of such meetings. He, or she, shall be custodian of all official records of the organization.

### **Section 4:**

The treasurer shall keep the books of the organization, disburse funds as required, and report monthly on the financial condition of the organization.

*\*\*See By-Laws Amendments Article VI Sec. V and VI.*

***Article VI, Section V** – The assistant treasurer shall be a bonded officer, and shall act in place of the treasurer in the event that the treasurer cannot fulfill their duties or their term in office.  
(Ratified Nov. 2003)*

***Article VI, Section VI** – The band director shall act as a liaison between the boosters and the school program. He/she shall convey the needs of the program for booster assistance, make recommendations for expenditures according to the needs of the band program, and coordinate joint efforts of the boosters and the band students. The director shall also act in the principal’s stead as the school “designee” for the boosters organization, and shall oversee all activities, decisions and expenditures of the boosters club and the executive committee, which act under the leadership of the boosters president. The director may exercise veto power as needed with decisions regarding booster leadership, activities, and expense issues, as well as giving final approval to activities and intentions of the same. Finally, the band director must initiate any motion to the slate of officers for the removal of an officer, in the event that it becomes necessary to do so. (Ratified Nov. 2003)*

## **Article VII -- Committees**

### **Section 1:**

The slate of officers shall determine the committees deemed proper and necessary to fulfill the objectives and purposes of the organization.

Section 2:

All committee chairpersons shall be appointed by the president or the appropriate officer subject to the veto of the slate of officers.

*\*\*See By-Laws Amendments Article VII Sec. II.*

***Article VII Section 2.** of the By-laws shall be amended by adding "president or the appropriate officer with the band director" (Approved February, 1994)*

**Article VIII -- Policies**

Section 1:

Policies shall be made and changed by a majority vote of the slate of officers and shall stand until over-ridden or changed by a majority vote of the general membership.

**Article IX -- Amendments**

Section 1:

These by-laws may be amended by a two-thirds vote of the membership present at any regular meeting provided that notice of the proposed amendment has been presented to the membership at least one month prior to the date of said meeting.

*\*\*See By-Laws Amendments Article IX Sec. II.*

***Article IX, Section II--** The by-laws shall be reviewed periodically by a committee selected by the band director and boosters president. The document shall be reviewed every three (3) years, and recommendations for amendments shall be presented to the membership as needed and ratified as outlined in Article IX, Sec.1 of the By-Laws. (Ratified Nov. 2003)*